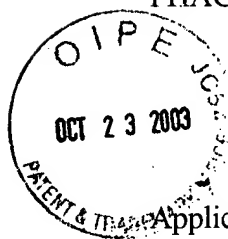


PHAGE.006A

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kordyum, et al. )  
Serial No. : 09/929,918 )  
Filed : August 15, 2001 )  
For : PHAGE-DEPENDENT )  
SUPERPRODUCTION OF )  
BIOLOGICALLY ACTIVE )  
PROTEINS AND PEPTIDES )  
Examiner : Mosher, Mary )

Art Unit: 1648

RECEIVED

OCT 30 2003

TECH CENTER 1600/2900

TERMINAL DISCLAIMER

Hon. Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

The undersigned attorney of record is empowered to act on behalf of the assignee, Phage Biotechnology Corporation ("Assignee") indicated below, by virtue of a Power of Attorney executed in connection with the Declaration by the inventors in November 2001.

In accordance with 37 C.F.R. 3.73(b), Assignee represents that it is the owner by assignment of a 100% interest in the above referenced application, which is 100% owned by Assignee. The Assignment to Assignee of the above-referenced application is recorded at Reel 012341, Frame 0675. This assignment represents the entire chain of title from the inventors to the Assignee.

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**Serial No.** : 09/929,918  
**Filed** : August 15, 2001

In accordance with 37 C.F.R. 3.73(b), Assignee represents that it is the owner by assignment of a 100% interest in Application No. 09/929,945, filed August 15, 2001, which is 100% owned by Assignee. The Assignment to Assignee of the above-referenced application is recorded at Reel 012341, Frame 0861. This assignment represents the entire chain of title from the inventors to the Assignee.

In accordance with 37 C.F.R. 3.73(b), Assignee represents that it is the owner by assignment of a 100% interest in Application No. 09/859,651, filed May 17, 2001, which is a divisional application of Application No. 09/318,288, filed May 25, 1999, now U.S. Patent No. 6,268,178 which is 100% owned by Assignee. The Assignment to Assignee of the above-referenced application is recorded at Reel 010065, Frame 0465. This assignment represents the entire chain of title from the inventors to the Assignee.

Assignee hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of any of Application No. 09/929,945; Application No. 09/859,651; or U.S. Patent No. 6,268,178, pursuant to 37 C.F.R. 1.321 (b), and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any of Application No. 09/929,945; Application No.

Serial No. : 09/929,918  
Filed : August 15, 2001

09/859,651; or U.S. Patent No. 6,268,178. This agreement extends to any patent granted on the above-identified application and shall be binding on its successors or assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any of Application No. 09/929,945; Application No. 09/859,651; or U.S. Patent No. 6,268,178 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with 37 C.F.R. 3.73(b), any evidentiary documents which are referred to in this disclaimer have been reviewed, and to the best of Assignee's knowledge and belief, title is in Assignee.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR

Dated: 10/21/03

By: 

Mark R. Benedict  
Registration No. 44,531  
Attorney of Record  
Customer No. 20,995